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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/708,173

02/13/2004

REN-HAO LIU

12527-US-PA

2172

31561

7590

04/06/2006

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE  
7 FLOOR-1, NO. 100  
ROOSEVELT ROAD, SECTION 2  
TAIPEI, 100  
TAIWAN

EXAMINER

SANTIAGO CORDERO, MARIVELISSE

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/708,173

Applicant(s)

LIU, REN-HAO

Examiner

Marivelisse Santiago-Cordero

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-6 are pending.

#### ***Priority***

2. The oath, declaration, or application data sheet acknowledges the filing of a foreign application. However, it is not clear from the oath, declaration, or application data sheet, if applicant is claiming foreign priority based on the application filed in Taiwan on 2003/12/04. If, indeed, applicant is claiming foreign priority, it is noted, however, that applicant has not filed a certified copy of the 92324144 application as required by 35 U.S.C. 119(b).

#### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: Flash Lamp for a Portable Communication Device.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3, 4, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishimura et al. (hereinafter “Nishimura”; Pub. No.: US 2003/0013484).

Regarding claim 1, Nishimura discloses a portable communication device, comprising:

a casing (Fig. 1, reference MU; page 2, paragraph [0034]);

Art Unit: 2617

a host module set up inside the casing (Fig. 2, reference 20);

a wireless communication module set up inside the casing and electrically connected to the host module (Fig. 2, references 3 and 5), wherein the wireless communication module is used to receive/transmit a communication signal (page 2, paragraphs [0036] and [0043]),

an image-capturing unit set up on the casing (Fig. 1, reference 23) and electrically connected to the host module (Fig. 2), wherein the image-capturing unit is used to capture an optical image (paragraph [0048]);

a man-machine interface set up on the casing (Fig. 1, references 21-22) and electrically connected to the host module (Fig. 2), wherein the man-machine interface is used to control the host module (page 3 paragraphs [0046]-[0047]);

a first connecting port set up on the casing (Fig. 2, reference 25; page 3, paragraph [0050]) and electrically connected to the host module (Fig. 2), and

a flash lamp (Fig. 1, reference FU; page 4, paragraph [0061]) having a second connecting port (Fig. 2, reference 30; page 4, paragraph [0030]) with a removable electrical connection to the first connecting port and the flash (Fig. 2; page 3, paragraph [0053]), wherein the flash lamp is an additional light source (page 2, paragraph [0034]).

Regarding claim 3, Nishimura discloses the portable communication device of claim 1 (see above), wherein the first connecting port has a power output terminal (Figs. 2-3, reference 26; page 4, paragraph [0069]) and the second connecting port has another power input terminal for contacting the power input terminal of the first connecting port (Fig. 3, reference 33; page 4, paragraph [0069]).

Art Unit: 2617

Regarding claim 4, Nishimura discloses the portable communication device of claim 1 (see above), wherein the man-machine interface comprises an instruction-input unit (Fig. 1, reference 21; page 3, paragraph [0046]) and an image output unit (Fig. 1, reference 22)).

Regarding claim 6, Nishimura discloses the portable communication device of claim 4 (see above), wherein the man-machine interface further comprises a voice-input unit (Fig. 2, reference 14) and a voice-output unit (Fig. 2, reference 13).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimura in view of Miki et al. (hereinafter "Miki"; Patent No.: 6,101,339).

Regarding claim 2, Nishimura discloses the portable communication device of claim 1 (see above). Nishimura fails to disclose wherein the flash lamp further comprises a power source.

However, in the same field of endeavor, Miki discloses a portable device wherein the flash lamp further comprises a power source (Fig. 13; col. 9, lines 10-35).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to incorporate in the flash lamp of Nishimura a power source as suggested by Miki because it would supply electric power from the flash to the primary battery provided within the device; thus, achieving charging from the flash without using special accessory for charging (Miki: col. 9, lines 10-15); in addition to charging the flash lamp independently of the components of the portable communication device.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimura in view of Kim (Patent No.: 6,999,802).

Regarding claim 5, Nishimura discloses the portable communication device of claim 4 (see above). Nishimura fails to disclose wherein the instruction-input unit integrates with the image output unit to form a touch-control screen.

However, in the same field of endeavor, Kim discloses a portable communications device wherein the instruction-input unit integrates with the image output unit (Fig. 4, references 12 and 214) to form a touch-control screen (Fig. 6, reference 216).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to integrate the instruction-input unit with the image output unit Nishimura to form a touch-control screen as suggested by Kim because the touch screen has greater width and length than the phone LCD (Kim: col. 5, lines 17-18).

Art Unit: 2617

*Conclusion*

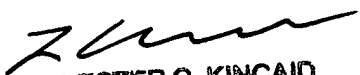
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Furda (Patent No.: 4,106,077) discloses an external flash lamp with power source; Fu et al. (Pub. No.: US 2005/0088569) discloses an external strobe device; Komori et al. (Pub. No.: US 2005/0253923) discloses a mobile telephone device having camera and illumination for camera; and Kim (KR 2003/0054947) discloses a flash laying device of portable phone having photographing function.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marivelisse Santiago-Cordero whose telephone number is (571) 272-7839. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MSC 3/30/06  
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LESTER G. KINCAID  
SUPERVISORY PRIMARY EXAMINER